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D.C.

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
JUDGE THOMAS M. GOULD  
MURKIN CLERK  
OF THE UNITED STATES DISTRICT COURT  
AT JACKSON

# UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TENNESSEE  
Eastern Division

GARY S. STASER

## JUDGMENT IN A CIVIL CASE

v.

UNITED OF OMAHA LIFE  
INSURANCE COMPANY

CASE NUMBER: 05-1106-T/An

**Decision by Court.** This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that in compliance with the order entered in the above-styled matter on 11/29/05, the motion to deny relief and affirm decision to deny benefits is GRANTED. Plaintiff's state law claims pursuant to TCA 56-7-105 and 47-18-109 are DISMISSED WITH PREJUDICE. Plaintiff's breach of contract claim is converted into an ERISA action to recover benefits under the terms of an employee benefit plan.

APPROVED:

James D. Todd  
JAMES D. TODD  
UNITED STATES DISTRICT JUDGE

THOMAS M. GOULD  
CLERK

DATE

11/30/05

BY:

C. Kiel  
DEPUTY CLERK

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Betty Campbell  
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ- Memphis  
165 Madison Ave.  
Ste. 2000  
Memphis, TN 38103

Lee Arorey Harris  
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ  
165 Madison Ave.  
Ste. 2000  
Memphis, TN 38103

Gary S. Staser  
1109 S. College St.  
Trenton, TN 38382

Janice Jones  
CIRCUIT COURT, 28TH JUDICIAL DISTRICT  
Gibson County Courthouse  
Trenton, TN 38382

Honorable James Todd  
US DISTRICT COURT